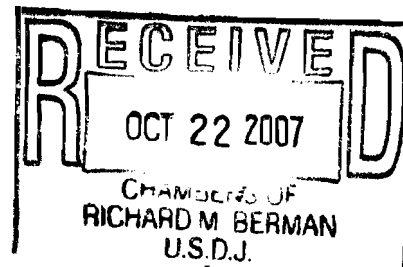
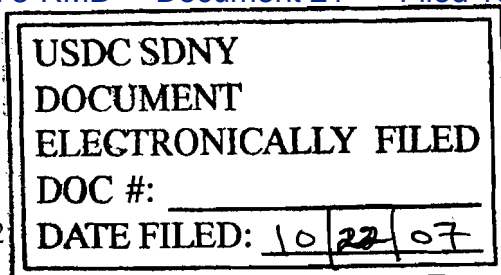


John Leone
35 Henry St. Apt. 1C
New York, NY 10002



The Honorable Richard M. Berman
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

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Re: *Morgan Funding Corp. v. Mario H. Figueroa, et al.*
07-CV-4073-RMB

Dear Honorable Judge Berman:

My name is John Leone. Since I cannot afford an attorney, I am representing myself in this action. I am responding to a letter apparently sent on October 16, 2007 by Morgan Funding. I have not received this letter but I have heard from a co-defendant that Morgan Funding is attempting to default me. I am writing to the Court to request that I be entitled to defend this case and that I not be defaulted.

I worked for Morgan Funding as a loan officer for a total of one month. During that time, I made only \$250 per week on draw. When I accepted the job with Morgan Funding, I was told that I would earn significant commissions. I could not afford to live in New York City on \$250 per week but I thought I would be getting commissions that would far exceed my draw. I found that this was not true. In fact, I was informed that nobody was being paid their commissions. In September 2006, I was also told that the office would be closing because nobody was being paid. I had nothing to do with this decision. I left the Morgan Funding office on that day. I took nothing with me. Having been there only one month, I barely knew anyone. I encouraged no one to leave. I took no business from Morgan Funding. Even before I was told that the office was closing, I had been searching for a new job. I was working much more than forty hours per week but I was not paid overtime. I was not even making minimum wage.

In August of 2007, I learned from a former co-worker that I had been sued. I did not receive a copy of the complaint in this case. In fact, I have never received any documentation regarding this case whatsoever, even after changing my address with the court. I was astounded to learn that I was defendant in this case because Morgan Funding obviously knew that I had worked there for only one month. I earned almost nothing while I was there and am deeply in debt.

Around the time I learned of the lawsuit against me, I had a friend of mine call Morgan Funding's attorney, James Fagan. Mr. Fagan informed him that Morgan Funding had sued everyone in this case because they did not know what happened. Mr.


Fagan told my friend that if I cooperated with Morgan Funding they would give me a verbal agreement to dismiss me from the case.

On August 19, 2007, I sent my Answer to the complaint filed against me to the Court, which I have resent with this letter. I cannot afford a lawyer but I did nothing wrong to Morgan Funding and want to defend myself against their false allegations.

Of the other people who are in this case, I understand that Benjamin Yipp and Jonathan Veras were fired by Morgan Funding before the office was closed in September 2007. Obviously, I could not have conspired with them to resign on the same date. I also understand that Mr. Veras recently had a heart attack. Mr. Naylor worked at Morgan Funding for fourteen weeks and is also broke.

Having just been hired, I was very low on the corporate ladder at Morgan Funding. I had no experience and had no authority to make any decisions affecting the office. I feel that it would be very unfair to make me stand trial with the office manager, Mario Figueroa, who had authority to make decisions regarding the office. I also feel it would be unfair to defend this case with Robbins & Lloyd since it has money to defend this action.

Sincerely,



John Leone

<p>PL to supply Mr. Leone with copies of the complaint + all court memo endorsements by 11/25/07. Mr. Leone is advised to (i) contact the Court's pro se office for assistance forthwith, +/or (ii) to retain counsel. All parties must copy all parties when SO ORDERED: Date: 11/22/07 <u>Richard M. Berman</u> Richard M. Berman, U.S.D.J. Writing to the Court.</p>
